

SIKKIM



GOVERNMENT

GAZETTE

EXTRAORDINARY
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Gangtok

Wednesday 14th October, 2020

No. 251

LAW DEPARTMENT
GOVERNMENT OF SIKKIM
TASHILING SECURETRAIT
BLOCK B, GANGTOK

No. 03/LD/20

Date: 14.10.2020

NOTIFICATION

The following Ordinance promulgated by the Governor on 13th day of October, 2020 is hereby published for general information:

THE SIKKIM PANCHAYAT (AMENDMENT) ORDINANCE, 2020 (ORDINANCE No. 03 OF 2020)

Promulgated by the Governor in the Seventy-first Year of the Republic of India

AN ORDINANCE

further to amend the Sikkim Panchayat Act, 1993.

WHEREAS the Legislative Assembly of Sikkim is not in session, and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor is hereby pleased to promulgate the following Ordinance, namely: -

- | | | |
|---|-----|--|
| Short title
and
Commencement | 1 | (1) This Ordinance may be called the Sikkim Panchayat (Amendment) Ordinance, 2020. |
| | (2) | It shall be deemed to have come into force with effect from 5 th day of June 2017. |
| Amendment
of
Section 11 | 2 | (1) In the Sikkim Panchayat Act, 1993 (hereinafter referred to as the Principal Act), existing section 11 shall be renumbered as subsection (1) of that section and after sub-section (1) as so renumbered the following sub-section (2) shall be inserted, namely:- |

“(2) Notwithstanding anything contained in sub-section (1) above, if-

- (a) the Gram Sabha fails to perform any of the functions stated in sub-section (1) above, within a reasonable time, or
- (b) the Gram Sabha is due to some exceptional circumstances, reasons for which are to be recorded in writing, unable to meet and perform its functions.
- (i) Then the Prescribed Authority shall, in consultation with the Gram Panchayat, take a decision and carry out any such function:

Provided that the Prescribed Authority shall ensure consultation with the Gram Panchayat by constituting a Committee, where-

- (A) the members of the Gram Panchayat shall be more in number than the nominees of the State Government;
- (B) the Chairperson of the Committee shall be the senior most Government nominee;
- (C) the recommendations of the Committee shall be by majority.”

***Amendment
of
Section 11A***

- 3. In the principal Act, in section 11 A, in clause (c), before the words “to identify”, the words “to render assistance to Gram Sabha” shall be inserted.

Date: 8th October, 2020

**GANGA PRASAD
GOVERNOR OF SIKKIM**

**Jagat B. Rai (SSJS)
L.R-cum-Secretary
Law Department**